

**MICHELLE N. O'BRIEN**

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Admitted in: MA, ME

VIA ELECTRONIC MAIL

September 3, 2019

Michelle Lauterback, Senior Enforcement Counsel  
U.S. Environmental Protection Agency  
Office of Regional Counsel (04-3)  
5 Post Office Square, Suite 100  
Boston, Massachusetts 02109-3912  
[lauterback.michelle@epa.gov](mailto:lauterback.michelle@epa.gov)

RE: Former Healy School Site, 726 Hicks Street, Fall River, MA

Dear Ms. Lauterback:

As you may know, I represent Spindle City Homes, Inc., the owner of property located at 726 Hicks Street in Fall River, Massachusetts (the site). This responds to the Notice of Potential Liability and Invitation to Perform or Finance Proposed Cleanup Activities dated August 26, 2019, sent to Spindle City Homes, Inc. In the letter the U.S. Environmental Protection Agency (EPA) notified Spindle City Homes, Inc. of planned removal activities at the site and requested permission for EPA, its agents, contractors, and other authorized representatives to have access to the site to conduct the removal activities if Spindle City Homes, Inc. does not perform them.

Please be advised that Spindle City Homes, Inc. will not perform or finance the removal activities described in EPA's letter because Spindle City Homes, Inc. does not have the financial resources to conduct any response activities. Spindle City Homes, Inc. is willing to give permission to EPA for its agents and contractor to conduct the removal action at the site. Based on the prior site authorizations given to EPA and the Massachusetts Department of Environmental Protection (MassDEP), we assume EPA has the ability to gain access to the site.

We request the following information for each EPA contractor who will be performing removal activities at the site:

Name and mailing address of the EPA contractor who will perform the work  
(Contractor);

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Name and contact information (office and mobile telephone numbers and email address) for the project manager or other employee of the Contractor who will perform or oversee the performance of the work;

Copies of applicable licenses for Contractor employees who will perform the work; and

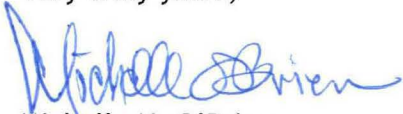
Certificate of Insurance for the Contractor.

Advance notice of the specific date(s) and time(s) for the performance of work should be provided to Eric Resendes, president of Spindle City Homes, Inc. at [ejr500@aol.com](mailto:ejr500@aol.com).

Under separate cover Spindle City Homes, Inc. is transmitting to Athanasios Hatzopoulos, EPA On-Scene Coordinator, the requested signed Consent for Property Access for Removal Action. I have attached a copy of the signed access agreement for your convenience.

Please contact me with any questions.

Very truly yours,



Michelle N. O'Brien

cc: ***Via Electronic Mail***

Eric J. Resendes, President, Spindle City Homes, Inc. ([ejr500@aol.com](mailto:ejr500@aol.com))

Athanasios Hatzopoulos, EPA On-Scene Coordinator

([Hatzopoulos.Athanasios@epa.gov](mailto:Hatzopoulos.Athanasios@epa.gov))

Tina Hennessy, EPA Enforcement Coordinator ([Hennessy.Tina@epa.gov](mailto:Hennessy.Tina@epa.gov))



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
5 POST OFFICE SQUARE – SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

Attn: OSC Athanasios Hatzopoulos (02-2)

**CONSENT FOR PROPERTY ACCESS FOR REMOVAL ACTION**

**SITE NAME:** Former Healy School

**OWNER:** Spindle City Homes, Inc.

**LOCATION OF PROPERTY:** 726 Hicks Street (Map B-09, Lot 37)  
Fall River, MA

I (We), consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") entering and having continued access to the above-referenced property for the following purpose(s):

- Performing removal actions, or overseeing potentially responsible parties performing removal actions, to mitigate the hazards posed by hazardous substances, pollutants and contaminants that were released, or pose a substantial threat of release at the Site, including: 1) provide site security as necessary based on conditions; 2) perform air monitoring, as needed; 3) collect, remove and dispose of the building debris contaminated with asbestos and/or metals; 4) demolish and remove the interior standing portions of the building, conduct onsite segregation and decontamination of larger debris of hazardous wastes; 5) conduct additional soil characterization to verify that the Site soils remaining are below the federal and state hazardous waste removal standards; and 6) repair of response-related damage.
- Taking any other response actions or evaluating the need to take other response actions.

I (We) realize that these actions are undertaken under EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601 et seq.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse, and without threats or promises of any kind.

**CONSENT OF OWNER – SPINDLE CITY HOMES, INC.**

Sept. 3, 2019  
Date

By: Spindle City Homes, Inc.  
[Signature]  
Signature of Property Owner/Owner's Authorized Representative

Eric J. Perendes  
Printed Name:

President  
Title:

P.O. Box 9727  
Address:

Fall River, MA 02720

(508) 496-6971  
Phone Number

FJR500 @ AOL.com  
Email:

(Attach additional sheets if necessary)